



# INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

*We Protect Hoosiers and Our Environment.*

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January 15, 2013

Ms. Rachel Shetka  
Enbridge Energy, Limited Partnership  
1409 Hammond Avenue  
2<sup>nd</sup> Floor  
Superior, WI 54880

Dear Ms. Shetka:

Re: Section 401 Water Quality Certification  
IDEM No.: 2012-322-45-MTM-A  
IDEM No.: 2012-321-64-MTM-A

The Indiana Department of Environmental Management (IDEM) on August 17, 2012, public noticed your applications for Section 401 Water Quality Certification (IDEM No. 2012-322-45-MTM-A and IDEM No.: 2012-321-64-MTM-A) for impacts to wetlands and streams associated with Enbridge Energy's pipeline maintenance and replacement project. On December 18, 2012, IDEM held a public hearing in LaPorte County, IN, regarding the applications for Section 401 Water Quality Certification. As a result of the public notice and the public hearing, IDEM received many comments and questions regarding the project's potential impact to water quality and aquatic habitat. Below is a summary of the questions and concerns. IDEM requests responses to the questions and concerns outlined in the summary within 45 days of the date of this correspondence.

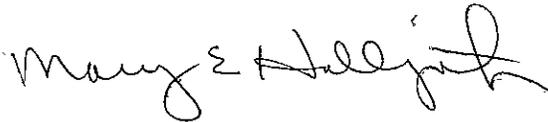
1. The proposed northern route around Hudson Lake would impact approximately 10.63 acres of wetland of which approximately 5.89 would be forested wetland. Alternatively, Route Variation S-2A-04 would impact 1.79 acres of wetlands of which 0.02 acre are forested wetland. Route Variation S-2A-04 would not have as many stream crossings and would impact fewer landowners. Why is Route Variation S-2A-04, not a practical alternative?
2. The pipeline traverses salmonid streams and other waterbodies which lead to Lake Michigan. A significant spill or leak could have tremendous adverse impacts to these ecological and economically important waterbodies. Please provide, in as great as detail as possible, Enbridge's response plan for handling a spill or leak into a waterbody which leads to Lake Michigan.

3. IDEM understands that, regardless of the protections taken, with normal operation and maintenance of the pipeline there will be accidental spills. What kind and frequency of spills does Enbridge anticipate and how are these spills handled?
4. What has prompted the replacement of the existing pipeline?
5. What will happen to the existing pipeline? Will it be permanently shut down or will it be possibly used again in the future?
6. The projects combined will impact 145 wetlands and has numerous stream crossings. It is not unusual that plans and on-site construction activities must be modified to adjust to real world conditions. IDEM requests Enbridge provide weekly monitoring reports which provide discussions of location (s) of work; description of activities; documentation of erosion control; problems encountered; photographs, etc., that IDEM would place on a website that could be accessed by the public.
7. Will the new pipeline carry Tar Sands from Canada, and if so, do these Tar Sands provide any greater risk of a leak or spill than what is being carried through the existing pipeline?
8. The new pipeline is being constructed at a significant distance from the existing pipeline. Why doesn't Enbridge construct the new pipeline closer the existing pipeline and thus have fewer impacts to wetlands and landowners? Related, does Enbridge propose sometime in the future to construct a new pipeline between the existing pipeline and the proposed pipeline?
9. Please describe if any leak detection systems which will be employed, and if so, please describe why is this system is adequate for this pipeline.
10. The proposed mitigation is in Porter County, although wetland and stream impacts also occur in Lake, LaPorte, and St. Joseph County. Please provide information as to why a single mitigation site in Porter County is appropriate.

11. The State of Wisconsin required the use of independent environmental monitors for the construction of an Enbridge Pipeline. Why are independent monitors not being proposed for this project?

To proceed with issuance of the Section 401 Water Quality Certification, IDEM requires adequate responses to the questions and concerns raised. If you have any questions regarding this, please contact me at 317-233-0275 or Marty Maupin, the project manager, at 317-233-2471.

Sincerely,

A handwritten signature in black ink, appearing to read "Mary E. Hollingsworth". The signature is fluid and cursive, with a large initial "M" and "H".

Mary E. Hollingsworth, Chief  
Surface Water, Operations & Enforcement Branch  
Office of Water Quality

cc: USACE  
IDNR

